

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

DAMION ELLERBY, :
Plaintiff :
: :
v. : CIVIL ACTION NO. 20-CV-2428
: :
LEHIGH COUNTY PRISON, *et al.*, :
Defendants :
:

ORDER

AND NOW, this *14th* day of February, 2022, upon consideration of Damion Ellerby's Second Amended Complaint (ECF No. 15), it is ORDERED that:

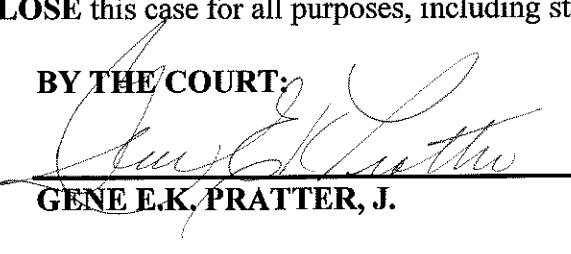
1. The Court's March 24, 2021 Order dismissing this case for failure to file a second amended complaint (ECF No. 14) is VACATED.
2. The Clerk of Court shall REOPEN this case.
3. The Clerk of Court shall UPDATE Mr. Ellerby's address on the docket to:

QK0664
SCI Phoenix
1200 Mokychic Drive
Collegeville, PA 19426

4. The Second Amended Complaint (ECF No. 15) is DISMISSED WITH PREJUDICE for failure to state a claim pursuant to 28 U.S.C. § 1915 (e)(2)(B)(ii) for the reasons stated in the Court's Memorandum.

5. The Clerk of Court shall TERMINATE Warden Kyle Russel as a defendant in this case.
6. Mr. Ellerby is not granted leave to file a third amended complaint in this matter.
7. The Clerk of Court shall CLOSE this case for all purposes, including statistics.

BY THE COURT:



GENE E.K. PRATTER, J.